

Appl. No. 09/907,238
Amdt. Dated Juen 9, 2005
Reply to Office action of March 11, 2005
Attorney Docket No. P14637-US1
EUS/J/P/05-3134

Amendments to the Drawings:

A Submittal of Drawing Replacement Sheet(s) is being filed concurrently herewith under a separate cover. For your convenience, a copy of that filing is attached.

Attachment: Copy of Submittal of Drawing Replacement Sheets

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REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 2-7 and 9-15, and claims 1 and 8 have been canceled. Applicant respectfully submits no new matter has been added. Accordingly, claims 2-7 and 9-19 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Examiner Objections – Drawings

The drawings were objected to because it appears that the drawings received by the USPTO on January 11, 2002 are from another application and inconsistent with the present application. In response, the Applicant is submitting "formal" replacement sheets. The Examiner's approval of these drawings is respectfully requested.

Examiner Objections and Allowable Subject Matter- Claims

Claims 3 and 10 were objected to as to being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicant notes with appreciation the conditional allowance of claims 3 and 10. As the Examiner has suggested, claims 3 and 10 have been rewritten in independent form including all limitations of the base claims. Therefore no amendments have been made to narrow the scope of the pending claims or to create any sort of estoppel.

Claim Rejections – 35 U.S.C. § 102(e)

Claims 1, 2, 4-9 and 10-19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ho, et al. (US 6,553,227 hereinafter Ho). In order to expedite allowance of this application, the Applicant has canceled claims 1 and 8 without prejudice and incorporated the limitations of these claims into dependent claims 3 and 10 respectively. Therefore, this rejection with respect to claims 1 and 8 is deemed to be moot.

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The Ho reference appears to disclose assigning each serviced mobile unit to a serving mobile switching center. Mobile units served by the system are assigned to the mobile switching centers so that loading is equalized. A dispatching switch couples the base station system to the mobile switching centers and assigns the mobile units. The dispatching switch determines loading of each of the mobile switching centers. Then, based upon the loading, the dispatching switch assigns the mobile unit to one of the mobile switching centers, the "serving" mobile switching center. (Abstract)

The Applicant's invention discloses a mechanism for associating querying switches with responsive access nodes in a network with a switch pool. In one embodiment of the invention, one of the switches in the pool is assigned as a handling switch and the handling switch directs queries to target access nodes. A single VLR is used for the switch pool and the handling switch is used by the VLR before a routing function RF uses the handling switch. Preferably, the difference between the use by the VLR and the use by the RF is equal to or slightly greater than the average time in the network between a paging request and response. By computing this time delay, and staggering the instructions to the VLR and RF accordingly, the likelihood that the wrong switch will handle responses to outstanding pages is greatly reduced. (Pages 8-9, para. 29-30).

The Applicant's invention designates a particular MSC from the switch pool to be a handling switch. The MSC handling switch duties can be reassigned to any of the MSCs in the pool. This is in contrast to the Ho reference, which uses a dispatching switch to assign a mobile to a particular MSC according to load factors. The Applicant's invention assigns MSCs to a BSC, which appears to be the reverse of the Ho reference.

Claims 2 and 4-7 depend from amended claim 3 and recite further limitations in combination with the allowable elements of amended claim 3. Therefore, the allowance of claims 2-7 is respectfully requested.

Amended claim 10 is analogous to claim 3 and the limitations of claim 10, which also contains allowable limitations similar to the allowable limitations of claim 3. Therefore the allowance of claim 10 and the respective depending claims 9 and 11-19, which contain the same allowable limitations, is respectfully requested.

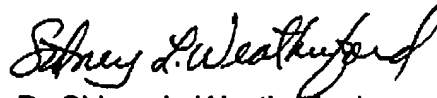
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CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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Date: June 9, 2005

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EUS/J/P: 05-3134

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant[s]: Jo Kuster et al.

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Group Art Unit: 2663

Serial No: 09/907,238

Examiner: Chi Ho A Lee

Filed: July 17, 2001

Confirmation No: 6634

Attorney Docket No: P14637-US1

Customer No.: 27045

**RECEIVED
CENTRAL FAX CENTER****JUN 09 2005**For: Switch Selection Mechanism for a Switch Pool in a Wireless
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for First class or Express mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

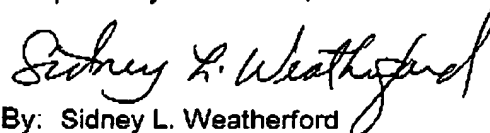
Date: June 8, 2005Name: Pamela C. ShultzSignature: 

Dear Sir:

SUBMITTAL OF DRAWING REPLACEMENT SHEET(S)

Enclosed please find four (4) drawing replacement sheet(s) (Figs. 1-4) relating to the above-identified patent application. The enclosed replacement sheet(s) are being filed in response to the Office Action dated March 11, 2005. The Examiner's approval of the enclosed replacement sheet(s) is respectfully requested.

Respectfully submitted,

By: Sidney L. Weatherford
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